

# NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE PROMULGATION: DMR Regulation 95.05 B, Closed Area No. 27-C, Upper Bay, St. George River, Warren, Thomaston, and South Thomaston, promulgated on October 31, 2003, is repealed and replaced with the following rule:

TEXT OF RULE: 95.05 B, Closed Area No. 27-C, Upper Bay, St. George River, Warren, Thomaston, and South Thomaston.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats, and waters in that portion of the St George River north of a line beginning at a red painted post located at the end of Sunrise Terrace Road, Thomaston, continuing southeast to the red navigational buoy #16, then continuing southeast to a red painted post at Hospital Point, South Thomaston; AND south of a line formed by the railroad trestle that crosses the mouth of Mill River; AND south of a line beginning at a red painted post below the bend in Sunrise Terrace Road, Thomaston, then running east to the navigational beacon #21, then running northwest to a red painted post east of the piling ruins, east of the old maritime museum. This area is classified conditionally restricted and requires a special MDMR permit. This conditionally restricted area is required to be closed during the months of January, February and March and/or following a malfunction at Warren Sanitary District or Thomaston Treatment Facility.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: May 27, 2004

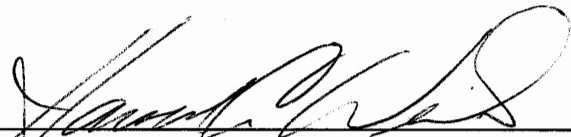
AGENCY CONTACT PERSON: Amy M Fitzpatrick  
Department of Marine Resources  
McKown Point Road  
W. Boothbay Harbor, Maine 04575

THE COURIER GAZETTE  
June 3, 2004

## STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.05 B, Closed Area No. 27-C, Upper Bay, St. George River, Warren, Thomaston, and South Thomaston promulgated on October 31, 2003 and enacts a new regulation. This new regulation describes the conditionally restricted area in the Upper Bay, St. George River. This is an administrative change.

DMR personnel have dug clams and sampled the water in this area and have determined that the area is safe for restricted shellfish harvest.

  
HAROLD C. WINTERS  
ADMINISTRATIVE OFFICER FOR GEORGE D. LAPOINTE,  
COMMISSIONER AS AUTHORIZED BY 12 M.R.S.A. SECTION  
6023





# Maine Department of Marine Resources

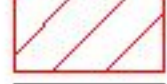
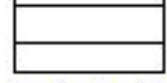

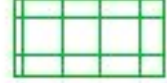
Legal Notice of Shellfish Closure Area

**C27C Upper Bay, St. George River**

**5/27/04**



## 2004 Shellfish Classifications

-  Prohibited
-  Restricted
-  Conditionally Approved
-  Conditionally Restricted

Sunrise  
Terrace



#21

#16

Hospital  
Point

**There may be other closures in this map area.**

0.6 0 0.6 1.2 Miles

